



# भारत का राजपत्र

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इस भाग में प्रिय पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।  
Separate paging is given to this Part in order that it may be filed as a separate compilation.

### LOK SABHA

The following Bills were introduced in Lok Sabha on 26th October, 1999.

BILL NO. 65 OF 1999

*A Bill further to amend the Income-tax Act, 1961.*

Be it enacted by Parliament in the Fiftieth Year of the Republic of India as follows:—

1. (1) This Act may be called the Income-tax (Amendment) Act, 1999.

Short title and  
commencement.

(2) It shall be deemed to have come into force on the 1st day of July, 1999.

Amendment  
of section 80G  
of Act 43 of  
1961.

2. In section 80G of the Income-tax Act, 1961 (hereinafter referred to as the Income-tax Act), in sub-section (1), in clause (i), for the words, brackets, figures and letter "in sub-clause (iiia)", the words, brackets, figures and letter "in sub-clause (i) or in sub-clause (iiia)" shall be substituted with effect from the 1st day of April, 2000.

Ord. 7 of  
1999.

3. (1) The Income-tax (Amendment) Ordinance, 1999, is hereby repealed.

Repeal and  
saving.

(2) Notwithstanding such repeal, anything done or any action taken under the Income-tax Act as amended by the said Ordinance, shall be deemed to have been done or taken under the Income-tax Act, as amended by this Act.

## STATEMENT OF OBJECTS AND REASONS

On account of armed intrusion by a neighbouring country in Kargil and the surrounding areas of the State of Jammu and Kashmir, the security of our country was facing a severe threat. The defence forces of our country were engaged in meeting this threat against heavy odds. In the course of discharge of duties, some members of the defence forces had to sacrifice their lives while others had to suffer serious injuries. The families of the members of the defence forces who made supreme sacrifice and who suffered serious injuries in the discharge of their duties deserve full support of the Central and State Governments and also of the citizens of India at large. Therefore, in order to encourage contributions to the National Defence Fund, it was proposed to amend section 80G of the Income-tax Act, 1961 so as to provide hundred per cent. deduction, instead of fifty per cent. hitherto available, from the total income of an assessee in respect of said contributions made by him to the said Fund for the financial year 1999-2000 relevant to the assessment year 2000-2001 and subsequent years.

2. Since the House of People had been dissolved and the Council of States was not in session and in view of the urgency, President was pleased to promulgate the Income-tax (Amendment) Ordinance, 1999 (Ord. 7 of 1999), on the 1st July, 1999 to achieve the aforesaid purpose.

3. The Bill seeks to replace the said Ordinance.

NEW DELHI;

YASHWANT SINHA

*The 21st October, 1999.*

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PRESIDENT'S RECOMMENDATION UNDER ARTICLES 117 AND 274 OF THE  
CONSTITUTION OF INDIA

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[Copy of letter No. F. 142/30/99-TPL dated 22nd October, 1999 from Shri Yashwant Sinha, Minister of Finance to the Secretary-General, Lok Sabha.]

The President, having been informed of the subject matter of the Income-Tax (Amendment) Bill, 1999 to amend the Income tax Act 1961 recommends under clause (1) of article 117 and clause (1), of article 274 of the Constitution of India, introduction of the above Bill in Lok Sabha.

**BILL NO. 69 OF 1999**

*A Bill further to amend the Contingency Fund of India Act, 1950,*

Be it enacted by Parliament in the Fiftieth Year of the Republic of India as follows:—

**1. (1)** This Act may be called the Contingency Fund of India (Amendment) Act, 1999.

Short title and  
commencement.

**(2)** It shall be deemed to have come into force on the 28th day of July, 1999.

Amendment of  
section 2 of  
Act 49 of  
1950.

**2.** In section 2 of the Contingency Fund of India Act, 1950 (hereinafter referred to as the principal Act), for the provisos, the following proviso shall be substituted, namely:—

**‘Provided that during the period beginning on the 28th day of July, 1999 and ending on the 31st day of March, 2000, this section shall have effect subject to the modification that for the words “fifty crores of rupees”, the words “five hundred and fifty crores of rupees” shall be substituted.’**

Ord.  
9 of 1999.

**3. (1)** The Contingency Fund of India (Amendment) Ordinance, 1999 is hereby repealed.

Repeal and  
saving.

**(2)** Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.

**STATEMENT OF OBJECTS AND REASONS**

The Contingency Fund of India Act, 1950 was enacted under articles 267(1) and 283(1) of the Constitution for establishment and maintenance of the Contingency Fund of India. The corpus of this Fund is Rs. 50 crores.

2. The available budgetary grants and balance in the Contingency Fund were not sufficient to meet the unforeseen and unbudgeted requirement of funds for conduct of general elections 1999. Further, the Lok Sabha stood dissolved. Under these circumstances, an immediate augmentation of the corpus of the Contingency Fund became necessary. Therefore, the Contingency Fund of India (Amendment) Ordinance, 1999 (Ordinance 9 of 1999) was promulgated by the President of India on the 28th of July, 1999 amending the Contingency Fund of India Act, 1950 thereby temporarily raising the corpus of the Fund to Rs. 550 crores till the 31st March, 2000.

3. The Bill seeks to replace the Contingency Fund of India (Amendment) Ordinance, 1999.

NEW DELHI;

*The 22nd October, 1999.*

YASHWANT SINHA.

#### FINANCIAL MEMORANDUM

Clause 2 of the Bill provides for raising the corpus of the Contingency Fund of India from Rs. 50 crores to Rs. 550 crores by transfer of an amount of Rs. 500 crores from the Consolidated Fund of India to the Contingency Fund of India during the financial year ending on the 31st March, 2000. The Bill thus involves a withdrawal of Rs. 500 crores from the Consolidated Fund of India temporarily. The actual expenditure has been incurred from out of an advance of Rs. 550 crores from the Contingency Fund of India sanctioned to various Ministries of the Government of India for incurring expenditure on committed items pending authorisation by law under article 115 of the Constitution.

2. No recurring expenditure is involved.

**BILL No. 67 OF 1999**

*A Bill further to amend the Constitution of India.*

BE it enacted by Parliament in the Fiftieth Year of the Republic of India as follows:—

Short title and  
commencement.

1. (1) This Act may be called the Constitution (Eighty-fourth Amendment) Act, 1999.  
(2) It shall come into force on the 25th day of January, 2000.

Amendment of  
article 334.

2. In article 334 of the Constitution, for the words “fifty years”, the words “sixty years” shall be substituted.

**STATEMENT OF OBJECTS AND REASONS**

Article 334 of the Constitution lays down that the provisions of the Constitution relating to the reservation of seats for the Scheduled Castes and the Scheduled Tribes and the representation of the Anglo-Indian community by nomination in the Lok Sabha and in the Legislative Assemblies of the States shall cease to have effect on the expiration of a period of fifty years from the commencement of the Constitution. Although the Scheduled Castes and the Scheduled Tribes have made considerable progress in the last fifty years, the reasons which weighed with the Constituent Assembly in making provisions with regard to the aforesaid reservation of seats and nomination of members, have not ceased to exist. It is, therefore, proposed to continue the reservation for the Scheduled Castes and the Scheduled Tribes and the representation of the Anglo-Indians by nomination for a further period of ten years.

2. The Bill seeks to achieve the above object.

NEW DELHI;

RAM JETHMALANI.

*The 21st October, 1999.*

**FINANCIAL MEMORANDUM**

Clause 2 of the Bill seeks to amend article 334 of the Constitution to provide for the continuance of the representation of the Anglo-Indian community in the Lok Sabha and in the Legislative Assemblies of the States by nomination for a further period of ten years. It is estimated that the recurring expenditure on the salaries and allowances and other concessions of the two representatives of the Anglo-Indian community in the Lok Sabha under article 331 will be of the order of rupees eight lakhs per annum.

2. There will be no non-recurring expenditure.

**BILL No. 71 OF 1999**

*A Bill further to amend the Representation of the People Act, 1951.*

BE it enacted by the Parliament in the Fiftieth Year of the Republic of India as follows:—

1. (1) This Act may be called the Representation of the People (Amendment) Act, 1999.

Short title and commencement.

(2) It shall be deemed to have come into force on the 21st day of July, 1999.

2. In the Representation of the People Act, 1951 (hereinafter referred to as the principal Act), in section 60, after clause (b), the following clause shall be inserted, namely:—

Amendment of section 60 of Act 43 of 1951.

“(c) any person belonging to a class of persons notified by the Election Commission in consultation with the Government to give his vote by postal ballot, and not in any other manner, at an election in a constituency where a poll is taken subject to the fulfilment of such requirements as may be specified in those rules.”.

Ord.  
8 of 1999.

3. (1) The Representation of the People (Amendment) Ordinance, 1999 is hereby repealed.

Repeal and saving.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the corresponding provisions of the principal Act, as amended by this Act.

## STATEMENT OF OBJECTS AND REASONS

The State of Jammu and Kashmir has been the target of terrorist activities over last several years. As a result, large number of people have migrated elsewhere from the Kashmir valley. As such, on the suggestion of the Election Commission of India, the Representation of the People Act, 1951 was amended by promulgation of Ordinances at the time of elections to the Lok Sabha in 1996 and 1998 so as to enable the migrants from the Kashmir valley to exercise their franchise through postal ballot. Similarly, at the time of recent General Elections for the 13th Lok Sabha, an Ordinance, namely, the Representation of the People (Amendment) Ordinance, 1999 (Ord. 8 of 1999) was promulgated to extend the above facility to migrants from the Kashmir valley. The provisions of the amendment Ordinances were, however, not restricted only to the migrant Kashmiri people but were of general nature which could be applied to any class of persons as notified by the Election Commission in consultation with the Central Government.

2. The Election Commission of India has been of the view that the provisions included in the Ordinance should be placed permanently on the statute book so that similar situation can be met in future also. Accordingly, to obviate the need for making such provisions through promulgation of an Ordinance in future as also to meet similar unforeseen situations elsewhere, the Government considers it necessary to make the provisions permanently in the statute.

3. This Bill intends to achieve the above object.

NEW DELHI;

RAM JETHMALANI.

*The 22nd October, 1999.*

### MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 2 of the Bill provides for insertion of a new clause (c) in section 60 of the Representation of the People Act, 1951, empowering the Central Government to make provisions by rules for enabling certain categories of persons notified by the Election Commission in consultation with the Central Government to give their votes by postal ballot and not in any other manner at an election in a constituency where poll is taken.

2. The matters in respect of which rules may be made pertain to matters of procedure or administrative detail. It is not practicable to provide for such matters in the Act itself. The delegation of legislative power is, therefore, of a normal character.

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G.C. MALHOTRA,  
*Secretary-General*

